

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CIVIL ACTION NO. 08-13596

vs.

DISTRICT JUDGE PAUL D. BORMAN
MAGISTRATE JUDGE DONALD A. SCHEER

CHERYL L. WEST,

Defendant.

_____ /

ORDER DENYING MOTION FOR HEARING REGARDING GARNISHMENT

This matter is before the magistrate judge on Order of Reference concerning Defendant's Request for a Hearing Regarding Garnishment (Docket #15). The Garnishment at issue relates to a Writ of Garnishment issued to the Michigan Department of Treasury. According to Plaintiff, no answer has been received from the Michigan Department of Treasury to date. Consequently, any issue with respect to the garnishment is not ripe for determination.

In her Request for Hearing, Defendant states that she may be diagnosed with multiple sclerosis and is almost housebound. Plaintiff acknowledged that if the Defendant is disabled, the debt may be eligible for cancellation due to total and permanent disability. Plaintiff promises to evaluate Defendant's claim of disability, and, if warranted, discharge her payment obligation with respect to her student loan. Based upon the written submissions of the parties, the motion requesting a hearing concerning the garnishment

is hereby DENIED. The Notice of Hearing sent to the parties on March 20, 2009, is hereby CANCELLED.

SO ORDERED.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: March 25, 2009

CERTIFICATE OF SERVICE

I hereby certify on March 25, 2009 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on March 25, 2009: **Cheryl West.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217